

**As Reported by the Senate State and Local Government and
Veterans Affairs Committee**

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Sub. H. B. No. 375

**Representatives Flowers, McGregor, J., Evans, D., Brown, Willamowski,
Allen, Setzer, Patton, T., Stewart, D., Blessing, Cassell, Collier, Combs,
Domenick, Fende, Hagan, Hughes, Mitchell, Otterman, Reidelbach, Smith, G.,
Widener, Williams, Wolpert, Yuko
Senators Cates, Kearney, Fedor**

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A B I L L

To amend sections 513.10, 749.18, 4765.05, 4765.11,	1
4765.16, 4766.01, 4766.03, 4766.04, 4766.06,	2
4766.07, and 4766.17 and to enact sections	3
4765.101, 4765.102, 4765.111, 4765.112, 4765.113,	4
4765.114, 4765.115, and 4765.116 of the Revised	5
Code concerning the authority of the State Board	6
of Emergency Medical Services to suspend	7
certificates to practice emergency medical	8
services, revisions to the law governing air	9
medical transportation, and qualifications and	10
residency requirements for members of a municipal	11
hospital board of governors.	12

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 513.10, 749.18, 4765.05, 4765.11,	13
4765.16, 4766.01, 4766.03, 4766.04, 4766.06, 4766.07, and 4766.17	14
be amended and sections 4765.101, 4765.102, 4765.111, 4765.112,	15
4765.113, 4765.114, 4765.115, and 4765.116 of the Revised Code be	16

enacted to read as follows:

Sec. 513.10. ~~Where~~ If an agreement under section 513.08 of the Revised Code provides for representation of a joint township hospital district, or of a county, on the board of hospital commissioners or board of governors of a municipal hospital, or both, ~~such the~~ representatives of the district shall be appointed by the joint township district hospital board and shall be electors of the district, ~~and;~~ in the case of a county, ~~such the~~ representatives of the county shall be appointed by the board of county commissioners and shall be electors of the county, or of an adjacent county; and, in the case of membership on the board of governors, at least one ~~such~~ elector, so appointed, shall be a doctor of medicine. In the case of a joint township hospital district, not more than one elector from any township included in the district shall be appointed to either board unless each ~~such~~ township has first had an elector ~~thereof~~ of that township appointed to ~~such that~~ board.

District or county representatives appointed to ~~such a~~ board of hospital commissioners shall serve until the duties of the board, pursuant to sections 749.06 to 749.14, ~~inclusive,~~ of the Revised Code, have terminated.

District or county representatives on the board of governors of ~~such a~~ municipal hospital shall be appointed in the following manner:

(A) When the terms of the members presently holding office expire, of those first appointed thereafter:

- (1) One shall be appointed for a term of one year~~+~~.
- (2) One shall be appointed for a term of two years~~+~~.
- (3) One shall be appointed for a term of three years~~+~~.

(4) If ~~there are~~ more than three are to be appointed, the 46
remaining appointments shall be for a term of four years. 47

(B) Thereafter, as the respective terms expire, appointments 48
shall be made in each case for a term of four years. 49

(C) Any vacancy shall be filled by appointment in like manner 50
for the unexpired term of the original appointment. 51

The joint township district hospital board~~7~~, or the board of 52
county commissioners~~7~~, ~~may~~, by a majority vote of its members, may 53
remove any appointee to either board, for good and sufficient 54
cause, after a hearing upon written charges. 55

Sec. 749.18. ~~Where~~ If an agreement under section 749.16 of 56
the Revised Code concerns or includes participation of a joint 57
township hospital district, or of a county, in the maintenance and 58
operation of a municipal hospital, the municipal corporation may 59
establish a board of governors to exercise, subject to such 60
further limitations as are imposed by the agreement, the powers 61
vested in the board of hospital commissioners, provided that any 62
such limitations shall not deny the board of governors the 63
authority to retain counsel, to institute legal action in its own 64
name, or to employ any other lawful means, for the collection of 65
delinquent accounts. The board of governors may include in its 66
membership ~~such~~ representatives of ~~the~~ a participating district 67
who are electors of the district, or of ~~the~~ a participating county 68
who are electors of that county or an adjacent county, as are 69
provided for in ~~such~~ the agreement. ~~The~~ 70

Except as otherwise provided in this section, the municipal 71
members of the board of governors shall consist of the mayor, who 72
by virtue of that office shall be its president, and four resident 73
freeholders of the municipal corporation, at least one of whom 74
shall be a doctor of medicine, to be appointed by the mayor with 75

the consent of the legislative authority. However, if necessary to 76
secure qualified individuals to serve on the board of governors, 77
the municipal members of the board may be residents of the county 78
in which the municipal corporation is located or of an adjacent 79
county. The term of office of ~~such~~ those municipal members shall 80
be as provided in section 749.05 of the Revised Code. ~~The~~ 81

The board ~~shall~~ of governors, subject to the terms of the 82
agreement, shall establish ~~such~~ regulations and elect ~~such~~ 83
officers, other than president, as its members determine. The 84
members shall be entitled to ~~such~~ the compensation for their 85
services ~~as is~~ provided by the agreement. 86

Sec. 4765.05. (A) As used in this section, "prehospital 87
emergency medical services" means an emergency medical services 88
system that provides medical services to patients who require 89
immediate assistance, because of illness or injury, prior to their 90
arrival at an emergency medical facility. 91

(B) The state board of emergency medical services shall 92
divide the state geographically into prehospital emergency medical 93
services regions for purposes of overseeing the delivery of adult 94
and pediatric prehospital emergency medical services. ~~These~~ 95
~~regions shall consist of the same geographic regions as the health~~ 96
~~service areas designated by the director of health under section~~ 97
~~3702.58 of the Revised Code.~~ For each prehospital emergency 98
medical services region, the state board of emergency medical 99
services shall appoint either a physician to serve as the regional 100
director or a physician advisory board to serve as the regional 101
advisory board. The state board of emergency medical services 102
shall specify the duties of each regional director and regional 103
advisory board. Regional directors and members of regional 104
advisory boards shall serve without compensation, but shall be 105
reimbursed for actual and necessary expenses incurred in carrying 106

out duties as regional directors and members of regional advisory boards. 107
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(C) Nothing in this section shall be construed to limit in 109
any way the ability of a hospital to determine the market area of 110
that hospital. 111

Sec. 4765.101. (A) The state board of emergency medical 112
services shall investigate any allegation that a person has 113
violated this chapter or a rule adopted under it. 114

Any person may submit to the board a written complaint 115
regarding an alleged violation of this chapter or a rule adopted 116
under it. In the absence of fraud or bad faith, no person 117
submitting a complaint to the board or testifying in an 118
adjudication hearing conducted in accordance with Chapter 119. of 119
the Revised Code with regard to such an alleged violation shall be 120
liable to any person in damages in a civil action as a result of 121
submitting the complaint or providing testimony. 122

(B) In investigating an allegation, the board may do any of 123
the following: 124

(1) Administer oaths; 125

(2) Order the taking of depositions; 126

(3) Issue subpoenas; 127

(4) Compel the attendance of witnesses and production of 128
books, accounts, papers, records, documents, and testimony. 129

(C) A subpoena for patient record information shall not be 130
issued without consultation with the attorney general's office and 131
approval of the executive director of the board. Before issuance 132
of a subpoena for patient record information, the executive 133
director shall determine whether there is probable cause to 134
believe that the complaint filed alleges a violation of this 135
chapter or any rule adopted under it and that the records sought 136

are relevant to the alleged violation and material to the
investigation. The subpoena may apply only to records that cover a
reasonable period of time surrounding the alleged violation.

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(D) On failure to comply with any subpoena issued by the
board and after reasonable notice to the person being subpoenaed,
the board may move, pursuant to the Rules of Civil Procedure, for
an order compelling the production of persons or records.

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(E) A subpoena issued by the board may be served by a
sheriff, the sheriff's deputy, or an investigator for the division
of emergency medical services of the department of public safety.
Service of a subpoena issued by the board may be made by
delivering a copy of the subpoena to the person named in it,
reading it to the person, or leaving it at the person's usual
place of residence. When the person being served is an individual
authorized by this chapter to practice emergency medical services,
service of the subpoena may be made by certified mail, restricted
delivery, return receipt requested, and the subpoena shall be
deemed served on the date delivery is made or on the date that the
person refuses to accept delivery.

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Sec. 4765.102. (A) As used in this section, "licensing
agency" means any entity that has the authority pursuant to Title
XLVII of the Revised Code to issue a license, and any other agency
of this or another state, other than the Ohio supreme court, that
has the authority to issue a license that authorizes an individual
to engage in an occupation or profession. "Licensing agency"
includes an administrative officer that has authority to issue a
license that authorizes an individual to engage in an occupation
or profession.

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(B) Except as provided in divisions (C) and (D) of this
section and section 4765.111 of the Revised Code, all information
the state board of emergency medical services receives pursuant to

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an investigation, including information regarding an alleged
violation of this chapter or rules adopted under it or a complaint
submitted under division (A) of section 4765.101 of the Revised
Code, is confidential, and is not subject to discovery in any
civil action, during the course of the investigation and any
adjudication proceedings that result from the investigation. Upon
completion of the investigation and any resulting adjudication
proceedings, the information is a matter of public record for
purposes of section 149.43 of the Revised Code.

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(C) The board may release information otherwise made
confidential by division (B) of this section to law enforcement
officers or licensing agencies of this or another state that are
prosecuting, adjudicating, or investigating the holder of a
certificate issued under this chapter or a person who allegedly
engaged in the unauthorized provision of emergency medical
services.

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A law enforcement officer or licensing agency with
information disclosed by the board under this division shall not
divulge the information other than for the purpose of an
adjudication by a court or licensing agency to which the subject
of the adjudication is a party.

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(D) If an investigation conducted under section 4765.101 of
the Revised Code requires a review of patient records, the
investigation and proceedings related to it shall be conducted in
such a manner as to protect patient confidentiality. The board
shall not make public the name or any other identifying
information about a patient unless proper consent is given in
accordance with rules adopted by the board. If the patient is less
than eighteen years of age, the board shall obtain consent from
the patient's parent, guardian, or custodian.

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Sec. 4765.11. (A) The state board of emergency medical

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services shall adopt, and may amend and rescind, rules in 199
accordance with Chapter 119. of the Revised Code and division (C) 200
of this section that establish all of the following: 201

(1) Procedures for its governance and the control of its 202
actions and business affairs; 203

(2) Standards for the performance of emergency medical 204
services by first responders, emergency medical technicians-basic, 205
emergency medical technicians-intermediate, and emergency medical 206
technicians-paramedic; 207

(3) Application fees for certificates of accreditation, 208
certificates of approval, certificates to teach, and certificates 209
to practice, which shall be deposited into the trauma and 210
emergency medical services fund created in section 4513.263 of the 211
Revised Code; 212

(4) Criteria for determining when the application or renewal 213
fee for a certificate to practice may be waived because an 214
applicant cannot afford to pay the fee; 215

(5) Procedures for issuance and renewal of certificates of 216
accreditation, certificates of approval, certificates to teach, 217
and certificates to practice, including any procedures necessary 218
to ensure that adequate notice of renewal is provided in 219
accordance with division (D) of section 4765.30 of the Revised 220
Code; 221

(6) Procedures for suspending or revoking certificates of 222
accreditation, certificates of approval, certificates to teach, 223
and certificates to practice; 224

(7) Grounds for suspension or revocation of a certificate to 225
practice issued under section 4765.30 of the Revised Code and for 226
taking any other disciplinary action against a first responder, 227
EMT-basic, EMT-I, or paramedic; 228

(8) Procedures for taking disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic;	229
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(9) Standards for certificates of accreditation and certificates of approval;	231
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(10) Qualifications for certificates to teach;	233
(11) Requirements for a certificate to practice;	234
(12) The curricula, number of hours of instruction and training, and instructional materials to be used in adult and pediatric emergency medical services training programs and adult and pediatric emergency medical services continuing education programs;	235
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(13) Procedures for conducting courses in recognizing symptoms of life-threatening allergic reactions and in calculating proper dosage levels and administering injections of epinephrine to adult and pediatric patients who suffer life-threatening allergic reactions;	240
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(14) Examinations for certificates to practice;	245
(15) Procedures for administering examinations for certificates to practice;	246
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(16) Procedures for approving examinations that demonstrate competence to have a certificate to practice renewed without completing an emergency medical services continuing education program;	248
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(17) Procedures for granting extensions and exemptions of emergency medical services continuing education requirements;	252
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(18) Procedures for approving the additional emergency medical services first responders are authorized by division (C) of section 4765.35 of the Revised Code to perform, EMTs-basic are authorized by division (C) of section 4765.37 of the Revised Code to perform, EMTs-I are authorized by division (B)(5) of section	254
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4765.38 of the Revised Code to perform, and paramedics are 259
authorized by division (B)(6) of section 4765.39 of the Revised 260
Code to perform; 261

(19) Standards and procedures for implementing the 262
requirements of section 4765.06 of the Revised Code, including 263
designations of the persons who are required to report information 264
to the board and the types of information to be reported; 265

(20) Procedures for administering the emergency medical 266
services grant program established under section 4765.07 of the 267
Revised Code; 268

(21) Procedures consistent with Chapter 119. of the Revised 269
Code for appealing decisions of the board; 270

(22) Minimum qualifications and peer review and quality 271
improvement requirements for persons who provide medical direction 272
to emergency medical service personnel; 273

(23) The manner in which a patient, or a patient's parent, 274
guardian, or custodian may consent to the board releasing 275
identifying information about the patient under division (D) of 276
section 4765.102 of the Revised Code; 277

(24) Circumstances under which a training program or 278
continuing education program, or portion of either type of 279
program, may be taught by a person who does not hold a certificate 280
to teach issued under section 4765.23 of the Revised Code. 281

(B) The board may adopt, and may amend and rescind, rules in 282
accordance with Chapter 119. of the Revised Code and division (C) 283
of this section that establish the following: 284

(1) Specifications of information that may be collected under 285
the trauma system registry and incidence reporting system created 286
under section 4765.06 of the Revised Code; 287

(2) Standards and procedures for implementing any of the 288

recommendations made by any committees of the board or under 289
section 4765.57 of the Revised Code; 290

(3) Requirements that a person must meet to receive a 291
certificate to practice as a first responder pursuant to division 292
(A)(2) of section 4765.30 of the Revised Code; 293

(4) Any other rules necessary to implement this chapter. 294

(C) In developing and administering rules adopted under this 295
chapter, the state board of emergency medical services shall 296
consult with regional directors and regional physician advisory 297
boards created by section 4765.05 of the Revised Code and 298
emphasize the special needs of pediatric and geriatric patients. 299

(D) Except as otherwise provided in this division, before 300
adopting, amending, or rescinding any rule under this chapter, the 301
board shall submit the proposed rule to the director of public 302
safety for review. The director may review the proposed rule for 303
not more than sixty days after the date it is submitted. If, 304
within this sixty-day period, the director approves the proposed 305
rule or does not notify the board that the rule is disapproved, 306
the board may adopt, amend, or rescind the rule as proposed. If, 307
within this sixty-day period, the director notifies the board that 308
the proposed rule is disapproved, the board shall not adopt, 309
amend, or rescind the rule as proposed unless at least twelve 310
members of the board vote to adopt, amend, or rescind it. 311

This division does not apply to an emergency rule adopted in 312
accordance with section 119.03 of the Revised Code. 313

Sec. 4765.111. Except as provided in this section or sections 314
4765.112 to 4765.116 of the Revised Code, the state board of 315
emergency medical services shall conduct disciplinary proceedings 316
regarding the holder of a certificate issued under this chapter in 317
accordance with rules adopted by the board under section 4765.11 318

of the Revised Code.

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The board and a holder of a certificate are the parties to a
hearing conducted under this chapter. Either party may submit a
written request to the other party for a list of witnesses and
copies of documents intended to be introduced at the hearing. The
request shall be in writing and shall be served not less than
thirty-seven days prior to the commencement of the hearing, unless
the hearing officer or presiding board member grants an extension
of time to make the request. Not later than thirty days before the
hearing, the responding party shall provide the requested list of
witnesses and copies of documents to the requesting party, unless
the hearing officer or presiding board member grants an extension
of time to provide the list and copies.

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Failure to timely provide a list or copies requested in
accordance with this section shall result in exclusion from the
hearing of the witnesses, testimony, or documents.

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Sec. 4765.112. (A) The state board of emergency medical
services, by an affirmative vote of the majority of its members,
may suspend without a prior hearing a certificate to practice
issued under this chapter if the board determines that there is
clear and convincing evidence that continued practice by the
certificate holder presents a danger of immediate and serious harm
to the public and that the certificate holder has done any of the
following:

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(1) Furnished false, fraudulent, or misleading information to
the board;

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(2) Engaged in activities that exceed those permitted by the
individual's certificate;

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(3) In a court of this or any other state or federal court
been convicted of, pleaded guilty to, or been the subject of a

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judicial finding of guilt of, a judicial finding of guilt 349
resulting from a plea of no contest to, or a judicial finding of 350
eligibility for intervention in lieu of conviction for, a felony 351
or for a misdemeanor committed in the course of practice or 352
involving gross immorality or moral turpitude. 353

(B) Immediately following the decision to impose a summary 354
suspension, the board, in accordance with section 119.07 of the 355
Revised Code, shall issue a written order of suspension, cause it 356
to be delivered to the certificate holder, and notify the 357
certificate holder of the opportunity for a hearing. If timely 358
requested by the certificate holder, a hearing shall be conducted 359
in accordance with section 4765.115 of the Revised Code. 360

Sec. 4765.113. If the state board of emergency medical 361
services imposes a suspension on the basis of a conviction, 362
judicial finding, or plea as described in division (A)(3) of 363
section 4765.112 of the Revised Code that is overturned on appeal, 364
the certificate holder, on exhaustion of the criminal appeal 365
process, may file with the board a petition for reconsideration of 366
the suspension along with appropriate court documents. On receipt 367
of the petition and documents, the board shall reinstate the 368
certificate holder's certificate to practice. 369

Sec. 4765.114. (A) A certificate to practice emergency 370
medical services issued under this chapter is automatically 371
suspended on the certificate holder's conviction of, plea of 372
guilty to, or judicial finding of guilt of any of the following: 373
aggravated murder, murder, voluntary manslaughter, felonious 374
assault, kidnapping, rape, sexual battery, gross sexual 375
imposition, aggravated arson, aggravated burglary, aggravated 376
robbery, or a substantially equivalent offense committed in this 377
or another jurisdiction. Continued practice after the suspension 378

is practicing without a certificate.

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(B) If the state board of emergency medical services has knowledge that an automatic suspension has occurred, it shall notify, in accordance with section 119.07 of the Revised Code, the certificate holder of the suspension and of the opportunity for a hearing. If timely requested by the certificate holder, a hearing shall be conducted in accordance with section 4765.115 of the Revised Code.

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Sec. 4765.115. (A) A suspension order issued under section 4765.112 or automatic suspension under section 4765.114 of the Revised Code is not subject to suspension by a court prior to a hearing under this section or during the pendency of any appeal filed under section 119.12 of the Revised Code.

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(B) A suspension order issued under section 4765.112 or automatic suspension under section 4765.114 of the Revised Code remains in effect, unless reversed by the state board of emergency medical services, until a final adjudication order issued by the board pursuant to this section becomes effective.

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(C) Hearings requested pursuant to section 4765.112 or 4765.114 of the Revised Code shall be conducted under this section in accordance with Chapter 119. of the Revised Code.

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(D) A hearing under this section shall be held not later than forty-five days but not earlier than forty days after the certificate holder requests it, unless another date is agreed to by the certificate holder and the board.

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(E) After completion of an adjudication hearing, the board may adopt, by an affirmative vote of the majority of its members, a final adjudication order that imposes any of the following sanctions:

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(1) Suspension of the holder's certificate to practice; 408

(2) Revocation of the holder's certificate to practice; 409

(3) Issuance of a written reprimand; 410

(4) A refusal to renew or a limitation on the holder's 411
certificate to practice. 412

The board shall issue its final adjudication order not later 413
than forty-five days after completion of an adjudication hearing. 414
If the board does not issue a final order within that time period, 415
the suspension order is void, but any final adjudication order 416
subsequently issued is not affected. 417

(F) Any action taken by the board under this section 418
resulting in a suspension from practice shall be accompanied by a 419
written statement of the conditions under which the certificate to 420
practice may be reinstated. Reinstatement of a certificate 421
suspended under this section requires an affirmative vote by the 422
majority of the members of the board. 423

(G) When the board revokes or refuses to reinstate a 424
certificate to practice, the board may specify that its action is 425
permanent. An individual subject to permanent action taken by the 426
board is forever ineligible to hold a certificate of the type 427
revoked or refused, and the board shall not accept from the 428
individual an application for reinstatement of the certificate or 429
for a new certificate. 430

Sec. 4765.116. If a certificate holder subject to a 431
suspension order issued by the state board of emergency medical 432
services under section 4765.112 or an automatic suspension order 433
under section 4765.114 of the Revised Code fails to make a timely 434
request for a hearing, the following apply: 435

(A) In the case of a certificate holder subject to a summary 436
suspension order, the board is not required to hold a hearing, but 437

may adopt, by an affirmative vote of a majority of its members, a
final order that contains the board's findings. In the final
order, the board may order any of the sanctions listed in division
(E) of section 4765.115 of the Revised Code.

(B) In the case of a certificate holder subject to an
automatic suspension order, the board may adopt, by an affirmative
vote of a majority of its members, a final order that permanently
revokes the holder's certificate to practice.

Sec. 4765.16. (A) All courses offered through an emergency
medical services training program or an emergency medical services
continuing education program, other than ambulance driving, shall
be developed under the direction of a physician who specializes in
emergency medicine. Each course that deals with trauma care shall
be developed in consultation with a physician who specializes in
trauma surgery. ~~Each~~ Except as specified by the state board of
emergency medical services pursuant to rules adopted under section
4765.11 of the Revised Code, each course offered through a
training program or continuing education program shall be taught
by a person who holds the appropriate certificate to teach issued
under section 4765.23 of the Revised Code.

(B) A training program for first responders shall meet the
standards established in rules adopted by the ~~state board of~~
~~emergency medical services~~ under section 4765.11 of the Revised
Code. The program shall include courses in both of the following
areas for at least the number of hours established by the board's
rules:

(1) Emergency victim care;

(2) Reading and interpreting a trauma victim's vital signs.

(C) A training program for emergency medical
technicians-basic shall meet the standards established in rules

adopted by the board under section 4765.11 of the Revised Code. 468
The program shall include courses in each of the following areas 469
for at least the number of hours established by the board's rules: 470

- (1) Emergency victim care; 471
- (2) Reading and interpreting a trauma victim's vital signs; 472
- (3) Triage protocols for adult and pediatric trauma victims; 473
- (4) In-hospital training; 474
- (5) Clinical training; 475
- (6) Training as an ambulance driver. 476

Each operator of a training program for emergency medical 477
technicians-basic shall allow any pupil in the twelfth grade in a 478
secondary school who is at least seventeen years old and who 479
otherwise meets the requirements for admission into such a 480
training program to be admitted to and complete the program and, 481
as part of the training, to ride in an ambulance with emergency 482
medical technicians-basic, emergency medical 483
technicians-intermediate, and emergency medical 484
technicians-paramedic. Each emergency medical service organization 485
shall allow pupils participating in training programs to ride in 486
an ambulance with emergency medical technicians-basic, advanced 487
emergency medical technicians-intermediate, and emergency medical 488
technicians-paramedic. 489

(D) A training program for emergency medical 490
technicians-intermediate shall meet the standards established in 491
rules adopted by the board under section 4765.11 of the Revised 492
Code. The program shall include, or require as a prerequisite, the 493
training specified in division (C) of this section and courses in 494
each of the following areas for at least the number of hours 495
established by the board's rules: 496

- (1) Recognizing symptoms of life-threatening allergic 497

reactions and in calculating proper dosage levels and 498
administering injections of epinephrine to persons who suffer 499
life-threatening allergic reactions, conducted in accordance with 500
rules adopted by the board under section 4765.11 of the Revised 501
Code; 502

(2) Venous access procedures; 503

(3) Cardiac monitoring and electrical interventions to 504
support or correct the cardiac function. 505

(E) A training program for emergency medical 506
technicians-paramedic shall meet the standards established in 507
rules adopted by the board under section 4765.11 of the Revised 508
Code. The program shall include, or require as a prerequisite, the 509
training specified in divisions (C) and (D) of this section and 510
courses in each of the following areas for at least the number of 511
hours established by the board's rules: 512

(1) Medical terminology; 513

(2) Venous access procedures; 514

(3) Airway procedures; 515

(4) Patient assessment and triage; 516

(5) Acute cardiac care, including administration of 517
parenteral injections, electrical interventions, and other 518
emergency medical services; 519

(6) Emergency and trauma victim care beyond that required 520
under division (C) of this section; 521

(7) Clinical training beyond that required under division (C) 522
of this section. 523

(F) A continuing education program for first responders, 524
EMTs-basic, EMTs-I, or paramedics shall meet the standards 525
established in rules adopted by the board under section 4765.11 of 526

the Revised Code. A continuing education program shall include
instruction and training in subjects established by the board's
rules for at least the number of hours established by the board's
rules.

Sec. 4766.01. As used in this chapter:

(A) "Advanced life support" means treatment described in
section 4765.39 of the Revised Code that a paramedic is certified
to perform.

(B) "Air medical service organization" means ~~a person that~~
~~provides air medical transportation to the public~~ an organization
that furnishes, conducts, maintains, advertises, promotes, or
otherwise engages in providing medical services with a rotorcraft
air ambulance or fixed wing air ambulance.

(C) "Air medical transportation" ~~is the use of a rotorcraft~~
~~air ambulance or fixed wing air ambulance to provide~~
~~transportation and advanced life support to seriously ill,~~
~~injured, wounded, or otherwise incapacitated or helpless~~
~~individuals who require use of a stretcher from airport to airport~~
~~or from an emergency scene to a hospital or other medical care~~
~~setting~~ means the transporting of a patient by rotorcraft air
ambulance or fixed wing air ambulance with appropriately licensed
and certified medical personnel.

(D) "Ambulance" means any motor vehicle that is specifically
designed, constructed, or modified and equipped and is intended to
be used to provide basic life support, intermediate life support,
advanced life support, or mobile intensive care unit services and
transportation upon the streets or highways of this state of
persons who are seriously ill, injured, wounded, or otherwise
incapacitated or helpless. "Ambulance" does not include air
medical transportation or a vehicle designed and used solely for

the transportation of nonstretcher-bound persons, whether 557
hospitalized or handicapped or whether ambulatory or confined to a 558
wheelchair. 559

(E) "Ambulette" means a motor vehicle that is specifically 560
designed, constructed, or modified and equipped and is intended to 561
be used for transportation upon the streets or highways of this 562
state of persons who require use of a wheelchair. 563

(F) "Basic life support" means treatment described in section 564
4765.37 of the Revised Code that an EMT-basic is certified to 565
perform. 566

(G) "Disaster situation" means any condition or situation 567
described by rule of the Ohio medical transportation board as a 568
mass casualty, major emergency, natural disaster, or national 569
emergency. 570

(H) "Emergency medical service organization" means an 571
organization that uses EMTs-basic, EMTs-I, or paramedics, or a 572
combination ~~thereof~~ of EMTs-basic, EMTs-I, and paramedics, to 573
provide medical care to victims of illness or injury. An emergency 574
medical service organization includes, but is not limited to, a 575
commercial ambulance service organization, a hospital, and a 576
funeral home. 577

(I) "EMT-basic," "EMT-I," and "paramedic" have the same 578
meanings as in section 4765.01 of the Revised Code. 579

(J) "Fixed wing air ambulance" means a fixed wing aircraft 580
~~operated~~ that is specifically designed, constructed, or modified 581
and equipped and is intended to be used as a means of air medical 582
transportation. 583

(K) "Intermediate life support" means treatment described in 584
section 4765.38 of the Revised Code that an EMT-I is certified to 585
perform. 586

(L) "Major emergency" means any emergency event that cannot
be resolved through the use of locally available emergency
resources.

(M) "Mass casualty" means an emergency event that results in
ten or more persons being injured, incapacitated, made ill, or
killed.

(N) "Medical emergency" means an unforeseen event affecting
an individual in such a manner that a need for immediate care is
created.

(O) "Mobile intensive care unit" means an ambulance used only
for maintaining specialized or intensive care treatment and used
primarily for interhospital transports of patients whose
conditions require care beyond the scope of a paramedic as
provided in section 4765.39 of the Revised Code.

(P)(1) "Nonemergency medical service organization" means a
person that does both of the following:

(a) Provides services to the public on a regular basis for
the purpose of transporting individuals who require the use of a
wheelchair or are confined to a wheelchair to receive health care
services at health care facilities or health care practitioners'
offices in nonemergency circumstances;

(b) Provides the services for a fee, regardless of whether
the fee is paid by the person being transported, a third party
payer, as defined in section 3702.51 of the Revised Code, or any
other person or government entity.

(2) "Nonemergency medical service organization" does not
include a health care facility, as defined in section 1751.01 of
the Revised Code, that provides ambulette services only to
patients of that facility.

~~(P) "Mobile intensive care unit" means an ambulance used only~~

~~for maintaining specialized or intensive care treatment and used~~ 617
~~primarily for interhospital transports of patients whose~~ 618
~~conditions require care beyond the scope of a paramedic as~~ 619
~~provided in section 4765.39 of the Revised Code.~~ 620

(Q) "Nontransport vehicle" means a motor vehicle operated by 621
a licensed emergency medical service organization not as an 622
ambulance, but as a vehicle for providing services in conjunction 623
with the ambulances operated by the organization or other 624
emergency medical service organizations. 625

(R) "Patient" means any individual who as a result of illness 626
or injury needs medical attention, whose physical or mental 627
condition is such that there is imminent danger of loss of life or 628
significant health impairment, who may be otherwise incapacitated 629
or helpless as a result of a physical or mental condition, or 630
whose physical condition requires the use of a wheelchair. 631

(S) "Rotorcraft air ambulance" means a helicopter or other 632
aircraft capable of vertical takeoffs, vertical landings, and 633
hovering that is specifically designed, constructed, or modified 634
and equipped and is intended to be used as a means of air medical 635
transportation. 636

Sec. 4766.03. (A) The Ohio medical transportation board shall 637
adopt rules, in accordance with Chapter 119. of the Revised Code, 638
implementing the requirements of this chapter. The rules shall 639
include provisions relating to the following: 640

(1) Requirements for an emergency medical service 641
organization to receive a permit for an ambulance or nontransport 642
vehicle; 643

(2) Requirements for an emergency medical service 644
organization to receive a license as a basic life-support, 645
intermediate life-support, advanced life-support, or mobile 646

intensive care unit organization;	647
(3) Requirements for a nonemergency medical service organization to receive a permit for an ambulette vehicle;	648 649
(4) Requirements for a nonemergency medical service organization to receive a license for an ambulette service;	650 651
(5) Requirements for an air medical service organization to receive a permit for a rotorcraft air ambulance or fixed wing air ambulance;	652 653 654
(6) Requirements for licensure of air medical service organizations;	655 656
(7) Forms for applications and renewals of licenses and permits;	657 658
(8) Requirements for record keeping of service responses made by licensed emergency medical service organizations;	659 660
(9) Fee amounts for licenses and permits, and <u>their</u> renewals thereof;	661 662
(10) Inspection requirements for licensees' vehicles or aircraft, records, and physical facilities;	663 664
(11) Fee amounts for inspections of ambulances, ambulettes, rotorcraft air ambulances, fixed wing air ambulances, and nontransport vehicles;	665 666 667
(12) Requirements for ambulances and nontransport vehicles used by licensed emergency medical service organizations, for ambulette vehicles used by licensed nonemergency medical service organizations, and for rotorcraft air ambulances or fixed wing air ambulances used by licensed air medical service organizations that specify for each type of vehicle or aircraft the types of equipment that must be carried, the communication systems that must be maintained, and the personnel who must staff the vehicle or aircraft;	668 669 670 671 672 673 674 675 676

(13) The level of care each type of emergency medical service 677
organization, nonemergency medical service organization, and air 678
medical service organization is authorized to provide; 679

(14) Eligibility requirements for employment as an ambulette 680
driver, including grounds for disqualification due to the results 681
of a motor vehicle law violation check, chemical test, or criminal 682
records check. The rule may require that an applicant for 683
employment as an ambulette driver provide a set of fingerprints to 684
law enforcement authorities if the applicant comes under final 685
consideration for employment. 686

(15) Any other rules that the board determines necessary for 687
the implementation and enforcement of this chapter. 688

(B) In the rules for ambulances and nontransport vehicles 689
adopted under division (A)(12) of this section, the board may 690
establish requirements that vary according to whether the 691
emergency medical service organization using the vehicles is 692
licensed as a basic life-support, intermediate life-support, 693
advanced life-support, or mobile intensive care unit organization. 694

(C) A mobile intensive care unit that is not dually certified 695
to provide advanced life-support and meets the requirements of the 696
rules adopted under this section is not required to carry 697
immobilization equipment, including board splint kits, traction 698
splints, backboards, backboard straps, cervical immobilization 699
devices, cervical collars, ~~stairchairs~~ stair chairs, folding cots, 700
or other types of immobilization equipment determined by the board 701
to be unnecessary for mobile intensive care units. 702

A mobile intensive care unit is exempt from the emergency 703
medical technician staffing requirements of division (B) of 704
section 4765.43 of the Revised Code when it is staffed by at least 705
one physician or registered nurse and another person, designated 706
by a physician, who holds a valid license or certificate to 707

practice in a health care profession, and when at least one of the
persons staffing the mobile intensive care unit is a registered
nurse whose training meets or exceeds the training required for a
paramedic.

Sec. 4766.04. (A) Except as otherwise provided in this
chapter, no person shall furnish, operate, conduct, maintain,
advertise, engage in, or propose or profess to engage in the
business or service in this state of transporting persons who are
seriously ill, injured, or otherwise incapacitated or who require
the use of a wheelchair or are confined to a wheelchair unless the
person is licensed pursuant to this section.

(B) To qualify for a license as a basic life-support,
intermediate life-support, advanced life-support, or mobile
intensive care unit organization, an emergency medical service
organization shall do all of the following:

(1) Apply for a permit for each ambulance and nontransport
vehicle owned or leased as provided in section 4766.07 of the
Revised Code;

(2) Meet all requirements established in rules adopted by the
Ohio medical transportation board regarding ambulances and
nontransport vehicles, including requirements pertaining to
equipment, communications systems, staffing, and level of care the
particular organization is permitted to render;

(3) Maintain the appropriate type and amount of insurance as
specified in section 4766.06 of the Revised Code;

(4) Meet all other requirements established under rules
adopted by the board for the particular license.

(C) To qualify for a license to provide ambulette service, a
nonemergency medical service organization shall do all of the
following:

(1) Apply for a permit for each ambulette owned or leased as 738
provided in section 4766.07 of the Revised Code; 739

(2) Meet all requirements established in rules adopted by the 740
Ohio medical transportation board regarding ambulettes, including 741
requirements pertaining to equipment, communication systems, 742
staffing, and level of care the organization is permitted to 743
render; 744

(3) Maintain the appropriate type and amount of insurance as 745
specified in section 4766.06 of the Revised Code; 746

(4) Meet all other requirements established under rules 747
adopted by the board for the license. 748

(D) To qualify for a license to provide air medical 749
transportation, an air medical service organization shall do all 750
of the following: 751

(1) Apply for a permit for each rotorcraft air ambulance and 752
fixed wing air ambulance owned or leased as provided in section 753
4766.07 of the Revised Code; 754

(2) Meet all requirements established in rules adopted by the 755
Ohio medical transportation board regarding rotorcraft air 756
ambulances and fixed wing air ambulances, including requirements 757
pertaining to equipment, communication systems, staffing, and 758
level of care the organization is permitted to render; 759

(3) Maintain the appropriate type and amount of insurance as 760
specified in section 4766.06 of the Revised Code; 761

(4) Meet all other requirements established under rules 762
adopted by the board for the license. 763

(E) An emergency medical service organization that applies 764
for a license as a basic life-support, intermediate life-support, 765
advanced life-support, or mobile intensive care unit organization; 766
a nonemergency medical service organization that applies for a 767

license to provide ambulette service; or an air medical service
organization that applies for a license to provide air medical
transportation shall submit a completed application to the board,
on a form provided by the board for each particular license,
together with the appropriate fees established under section
4766.05 of the Revised Code. The application form shall include
all of the following:

(1) The name and business address of the operator of the
organization for which licensure is sought;

(2) The name under which the applicant will operate the
organization;

(3) A list of the names and addresses of all officers and
directors of the organization;

(4) For emergency medical service organizations and
nonemergency medical service organizations, a description of each
vehicle to be used, including the make, model, year of
manufacture, mileage, vehicle identification number, and the color
scheme, insignia, name, monogram, or other distinguishing
characteristics to be used to designate the applicant's vehicle;

(5) For air medical service organizations using fixed wing
air ambulances, a description of each aircraft to be used,
including the make, model, year of manufacture, and aircraft Hobbs
meter hour reading;

(6) For air medical service organizations using rotorcraft
air ambulances, a description of each aircraft to be used,
including the make, model, year of manufacture, aircraft ~~Hobbs~~
~~meter hour reading~~ hours on airframe, aircraft identification
number, and the color scheme, insignia, name, monogram, or other
distinguishing characteristics to be used to designate the
applicant's rotorcraft air ambulance;

(7) The location and description of each place from which the organization will operate;

(8) A description of the geographic area to be served by the applicant;

(9) Any other information the board, by rule, determines necessary.

(F) Within sixty days after receiving a completed application for licensure as a basic life-support, intermediate life-support, advanced life-support, or mobile intensive care unit organization; an ambulette service; or an air medical service organization, the board shall approve or deny the application. The board shall deny an application if it determines that the applicant does not meet the requirements of this chapter or any rules adopted under it. The board shall send notice of the denial of an application by certified mail to the applicant. The applicant may request a hearing within ten days after receipt of the notice. If the board receives a timely request, it shall hold a hearing in accordance with Chapter 119. of the Revised Code.

(G) If an applicant or licensee operates or plans to operate an organization in more than one location under the same or different identities, the applicant or licensee shall apply for and meet all requirements for licensure or renewal of a license, other than payment of a license fee or renewal fee, for operating the organization at each separate location. An applicant or licensee that operates or plans to operate under the same organization identity in separate locations shall pay only a single license fee.

(H) An emergency medical service organization that wishes to provide ambulette services to the public must apply for a separate license under division (C) of this section.

(I) Each license issued under this section and each permit

issued under section 4766.07 of the Revised Code expires one year
after the date of issuance and may be renewed in accordance with
the standard renewal procedures of Chapter 4745. of the Revised
Code, ~~except that a license or permit issued in 1998 or in 1999~~
~~prior to June 30, 1999, shall expire two years after the date of~~
~~issuance.~~ An application for renewal shall include the license or
permit renewal fee established under section 4766.05 of the
Revised Code. An applicant for renewal of a permit also shall
submit to the board proof of an annual inspection of the vehicle
or aircraft for which permit renewal is sought. The board shall
renew a license if the applicant meets the requirements for
licensure and shall renew a permit if the applicant and vehicle or
aircraft meet the requirements to maintain a permit for that
vehicle or aircraft.

(J) Each licensee shall maintain accurate records of all
service responses conducted. The records shall be maintained on
forms prescribed by the board and shall contain information as
specified by rule by the board.

Sec. 4766.06. (A)(1) Every emergency medical service
organization and nonemergency medical service organization
licensee under this chapter shall furnish adequate evidence of
liability insurance coverage, in an amount of not less than five
hundred thousand dollars per occurrence and not less than five
hundred thousand dollars in the aggregate, for any cause for which
the licensee would be liable.

(2) Every air medical service organization ~~licensee~~ licensed
under this chapter shall furnish adequate evidence of liability
insurance coverage, in an amount not less than twenty million
dollars per occurrence and not less than twenty million dollars in
the aggregate, for any cause for which the licensee would be
liable.

(B) In addition to the insurance requirements of division (A) 860
of this section, every licensee shall carry bodily injury and 861
property damage insurance with solvent and responsible insurers 862
licensed to do business in this state for any loss or damage 863
resulting from any occurrence arising out of or caused by the 864
operation or use of any ambulance, ambulette, rotorcraft air 865
ambulance, fixed wing air ambulance, or nontransport vehicle. The 866
insurance shall insure each vehicle or aircraft for the sum of not 867
less than one hundred thousand dollars for bodily injury to or 868
death of any one person arising out of any one accident and the 869
sum of not less than three hundred thousand dollars for bodily 870
injury to or death of more than one person in any one accident and 871
for the sum of fifty thousand dollars for damage to property 872
arising from any one accident. 873

(C) Each policy or contract of insurance issued shall provide 874
for the payment and satisfaction of any financial judgment entered 875
against the licensee and any person operating the vehicle or 876
aircraft and for a thirty-day cancellation notice to the board. 877

Sec. 4766.07. (A) ~~Each~~ Except as otherwise provided by rule 878
of the Ohio medical transportation board, each emergency medical 879
service organization, nonemergency medical service organization, 880
and air medical service organization subject to licensure under 881
this chapter shall possess a valid permit for each ambulance, 882
ambulette, rotorcraft air ambulance, fixed wing air ambulance, and 883
nontransport vehicle it owns or leases that is or will be used by 884
the licensee to perform the services permitted by the license. 885
Each licensee and license applicant shall submit the appropriate 886
fee and an application for a permit for each ambulance, ambulette, 887
rotorcraft air ambulance, fixed wing air ambulance, and 888
nontransport vehicle to the Ohio medical transportation board on 889
forms provided by the board. The application shall include 890

documentation that the vehicle or aircraft meets the appropriate 891
standards set by the board, that the vehicle or aircraft has been 892
inspected pursuant to division (C) of this section, that the 893
permit applicant maintains insurance as provided in section 894
4766.06 of the Revised Code, and that the vehicle or aircraft and 895
permit applicant meet any other requirements established under 896
rules adopted by the board. 897

The Ohio medical transportation board may adopt rules in 898
accordance with Chapter 119. of the Revised Code to authorize the 899
temporary use of a vehicle or aircraft for which a permit is not 900
possessed under this section in back-up or disaster situations. 901

(B)(1) Within sixty days after receiving a completed 902
application for a permit, the board shall issue or deny the 903
permit. The board shall deny an application if it determines that 904
the permit applicant, vehicle, or aircraft does not meet the 905
requirements of this chapter and the rules adopted under it that 906
apply to permits for ambulances, ambulettes, rotorcraft air 907
ambulances, fixed wing air ambulances, and nontransport vehicles. 908
The board shall send notice of the denial of an application by 909
certified mail to the permit applicant. The permit applicant may 910
request a hearing within ten days after receipt of the notice. If 911
the board receives a timely request, it shall hold a hearing in 912
accordance with Chapter 119. of the Revised Code. 913

(2) If the board issues the vehicle permit for an ambulance, 914
ambulette, or nontransport vehicle, it also shall issue a decal, 915
in a form prescribed by rule, to be displayed on the rear window 916
of the vehicle. The board shall not issue a decal until all of the 917
requirements for licensure and permit issuance have been met. 918

(3) If the board issues the aircraft permit for a rotorcraft 919
air ambulance or fixed wing air ambulance, it also shall issue a 920
decal, in a form prescribed by rule, to be displayed on the left 921

fuselage aircraft window in a manner that complies with all
applicable federal aviation regulations. The board shall not issue
a decal until all of the requirements for licensure and permit
issuance have been met.

(C) In addition to any other requirements that the board
establishes by rule, a licensee or license applicant applying for
an initial vehicle or aircraft permit under division (A) of this
section shall submit to the board the vehicle or aircraft for
which the permit is sought. Thereafter, a licensee shall annually
submit to the board each vehicle or aircraft for which a permit
has been issued.

(1) The board shall conduct a physical inspection of an
ambulance, ambulette, or nontransport vehicle to determine its
roadworthiness and compliance with standard motor vehicle
requirements.

(2) The board shall conduct a physical inspection of the
medical equipment, communication system, and interior of an
ambulance to determine the operational condition and safety of the
equipment and the ambulance's interior and to determine whether
the ambulance is in compliance with the federal requirements for
ambulance construction that were in effect at the time the
ambulance was manufactured, as specified by the general services
administration in the various versions of its publication titled
"federal specification for the star-of-life ambulance,
KKK-A-1822."

(3) The board shall conduct a physical inspection of the
equipment, communication system, and interior of an ambulette to
determine the operational condition and safety of the equipment
and the ambulette's interior and to determine whether the
ambulette is in compliance with state requirements for ambulette
construction. The board shall determine by rule requirements for

the equipment, communication system, interior, and construction of
an ambulette. 953
954

(4) The board shall conduct a physical inspection of the 955
medical equipment, communication system, and interior of a 956
rotorcraft air ambulance or fixed wing air ambulance to determine 957
the operational condition and safety of the equipment and the 958
aircraft's interior. 959

(5) The board shall issue a certificate to the applicant for 960
each vehicle or aircraft that passes the inspection and may assess 961
a fee for each inspection, as established by the board. 962

(6) The board shall adopt rules regarding the implementation 963
and coordination of inspections. The rules may permit the board to 964
contract with a third party to conduct the inspections required of 965
the board under this section. 966

Sec. 4766.17. ~~(A)~~ An air medical service organization 967
licensed under this chapter that uses a rotorcraft or fixed wing 968
air ambulance shall do both of the following: 969

~~(1)(A)~~ Use at a minimum ~~both of the following to provide~~ 970
~~advanced life support to seriously ill, injured, wounded, or~~ 971
~~otherwise incapacitated or helpless individuals who require use of~~ 972
~~a stretcher;~~ 973

~~(a)~~ ~~A paramedic~~ a physician who holds a current valid license 974
issued under Chapter 4731. of the Revised Code or registered nurse 975
who holds a current valid license issued under Chapter 4723. of 976
the Revised Code, ~~both as defined in section 4765.01 of the~~ 977
~~Revised Code;~~ 978

~~(b)~~ ~~One~~ a paramedic, or one other person, designated by the 979
medical director of the air medical service organization, who 980
holds a current, valid certificate or license to practice a health 981
care profession in this state. ~~i~~ 982

~~(2)(B)~~ Employ as a medical director an individual who holds a 983
current, valid certificate issued under Chapter 4731. of the 984
Revised Code authorizing the practice of medicine and surgery or 985
osteopathic medicine and surgery. 986

~~(B) The medical director employed by a licensed air medical 987
service organization pursuant to division (A)(2) of this section 988
is ultimately responsible for the medical care provided to each 989
patient by the organization. 990~~

Section 2. That existing sections 513.10, 749.18, 4765.05, 991
4765.11, 4765.16, 4766.01, 4766.03, 4766.04, 4766.06, 4766.07, and 992
4766.17 of the Revised Code are hereby repealed. 993